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August 26, 2022

Hon. John P. Cronan, USDJ
United States District Court
Southern District of New York
500 Pearl Street, Room 1320
New York, NY 10007

Re: *Live Brand Holdings, LLC v. Gastronomico Gracias a Dios, Sociedad Responsabilidad, Limitada de Capital Variable, et al.* 1:20-cv-1213 (JPC)

Dear Judge Cronan:

Defendants hereby renew their letter-motion seeking a stay of discovery until the Court issues its ruling on the pending motion to dismiss, which has been sub judice since May 9, 2022. Defendants seek a sixty day stay to give the court time to address the motion to dismiss.

Defendants' counsel conferred with counsel for Plaintiff on August 25, 2022, and Plaintiff proposed a stay until October 1, 2022, at which point the parties would enter into a new case management order either because the court denied the motion to dismiss or no decision is rendered by then.

In our initial letter motion dated June 20, 2022, we laid out the applicable legal standards and reasons for avoiding the costs of discovery unless and until the motion to dismiss is decided. We incorporate by reference the legal and factual argument presented previously. The reasons for a stay remain the same. The circumstances remain the same, with Plaintiff having served broad and burdensome discovery demands.

We also wish to advise the court that Live Brands obtained a judgment against Defendants in Mexico for \$250,000 plus interest, which is necessarily duplicative of the relief sought in this proceeding. That issue will need to be addressed if the case is not dismissed outright.

Respectfully submitted,


/s/David H. Tennant

David H. Tennant

cc: John D. Goldsmith

The Court grants the request to stay discovery until October 1, 2022. By October 1, 2022, the parties shall submit a status update and a new proposed case management plan to the Court. The Clerk of the Court is respectfully directed to close the motion pending at Docket Number 63.

SO ORDERED.
Date: August 29, 2022
New York, New York


JOHN P. CRONAN
United States District Judge